

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

Comcast of Massachusetts III, Inc.

Plaintiff

vs.

Robert & Gayle Savy

Defendant

) Case No.: 1:04-cv-12006-RGS

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**JOINT STATEMENT OF THE PARTIES
PURSUANT TO LOCAL RULE 16.1(D)**

Now comes the Plaintiff, Comcast, and the Defendant, pursuant to Local Rule 16.1(D), do hereby submit the following Joint Statement to this Honorable Court.

I. PARTIES' CONFERENCE

John M. McLaughlin, Counsel for the Plaintiff and Defendant Gayle Savy and Defendant Robert Savy do hereby certify that they teleconferenced on the issues required be discussed pursuant to this rule in March, 2006.

II. SETTLEMENT PROPOSAL

Defendant, Gayle Savy and Defendant Robert Savy, do hereby certify that they received a Settlement Proposal from the Plaintiff. At this time, the Defendants are not in a position to accept the Plaintiff's demand for settlement of the above matter.

III. MEDIATION

The Parties agree to submit this dispute to non-binding mediation before the Senior Judge, Magistrate, or Panel Member pursuant to Local Rule 16.4(c)(4). The mediation can occur as soon as it can be scheduled and in the meantime discovery can proceed in accordance with this Court's order.

IV. JOINT STATEMENT AS TO DISCOVERY/MOTIONS

The following represents the Agreement of the Parties and is submitted to the Court such that the Court can utilize same in devising the Scheduling Order.

1. All fact discovery should be completed by November 3, 2006.
2. The depositions of non-expert witnesses shall not exceed seven (7) hours per witness unless leave of the Court has been obtained or a written stipulation of the parties has been entered into to exceed said seven (7) hour limitation. The parties may also utilize subpoena duces tecum in conjunction with these non-expert depositions.
3. The Parties propose that the written discovery shall include, but not limited to, interrogatories, requests for production, and requests for admissions. Pursuant to Fed. R. Civ. P. 33, interrogatories shall be limited to 25 in number, including sub-parts. Pursuant to Fed. R. Civ. P. 34, each person shall have the opportunity to submit two sets of requests for production of documents and things to the other party.
4. The Plaintiff shall disclose to the Defendant all experts relied upon by the Plaintiff Defendant no later than November 8, 2006.
5. The Defendant shall disclose to the Plaintiff all experts relied upon by the Defendant no later than November 8, 2006.
6. All expert discovery channel be completed by October 16, 2006
7. Motions, including motions filed pursuant to Fed. R. Civ. P. 56 shall be filed no later than November 9, 2006.
8. On or about January 29, 2007 court will hold a hearing on any pending motions not already determined and/or on the status of the case.

VI. CERTIFICATION

The parties certify by their signatures below they have considered and/ or conferred with their clients pursuant to Local Rule 16.1(D) as to:

1. Establishing a budget for the cost of conducting the full course and various alternative courses of litigation; and,
2. To consider the resolution of litigation to the use of alternative dispute resolution programs.


VII. CONSENT TO APPEAR BEFORE A MAGISTRATE

The Parties are amenable to Trial before a Magistrate.

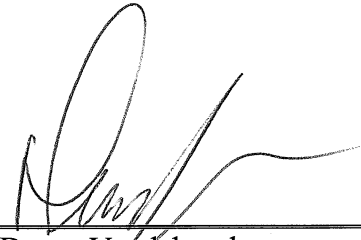
Date

4/13/06

Respectfully Submitted for the Plaintiff,
By Its Attorney,



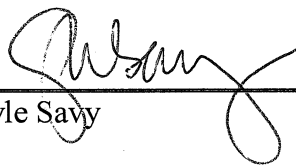
John M. McLaughlin
Green, Miles, Lipton & Fitz-Gibbon LLP
77 Pleasant Street
P.O. Box 210
Northampton, MA 01061-0210
Telephone: (413) 586-0865
BBO No. 556328

A handwritten signature in black ink, appearing to read 'Deena Vandeberghe', is positioned above a horizontal line.

Deena Vandeberghe
Settlement and Collections Manager

Respectfully Submitted by the Defendant,

3/27/06
Date


Gayle Savy

Respectfully Submitted by the Defendant,

4/4/06
Date

Robert Savy
Robert Savy